IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 19414 of 2004

Between:

St. Ann's Educational Society, Plot No. 44, Doctor's Colony, Kurnool,
rep. by its President Sri N. Ashok Kumar.

..... PETITIONER

AND

1 The Director (NGO's) , Ministry of Tribal Affairs, Govt. of India,
Sastri Bhavan, New Delhi.
2 The District Collector, Kurnool.
3 The District Tribal Welfare Officer, Kurnool.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ or order or direction, more appropriately in the nature of writ of mandamus to reimburse the amount spent by the petitioner for running the Non-Residential School for STs at Nandanapalli Thanda, Kurnool District for the year 2000-01.

Counsel for the Petitioner:MR.VADDIPAMULETY

Counsel for the Respondent No.1: MR.A.RAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent Nos.2 and 3:GOVERNMENT PLEADER FOR SOCIAL WELFARE

The Court at the admission stage made the following Order:

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.19414 OF 2004

ORDER:

The petitioner prays for a direction to the respondents to reimburse the amount spent by it for running the Non-Residential School for STs at Nandanapalli Thanda, Kurnool for the year 2000-2001.

It is the case of the petitioner that it submitted Account Books, vouchers etc., to the Regional Deputy Director, State Audit, Kurnool as per the orders of the second respondent and requested to reimburse the grant-in-aid spent by the petitioner during the year 2000-2001. As no action has been taken by the respondents, the petitioner has filed the present writ petition.

Learned counsel for the petitioner contended that the petitioner had made a representation before the first respondent for reimbursement of the amount claimed to have been spent by it and the same is pending consideration.

Whether the petitioner is entitled for refund of any amount towards grant-in-aid as claimed to have been spent by it during the year 2000-2001 has to be decided by the first respondent?

In similar circumstances, this Court disposed of W.P.No.12180 of 2004 directing the respondent therein to consider and dispose of the representation filed by the petitioner therein.

Hence, I feel it appropriate to direct the first respondent to dispose of the representation made by the petitioner pending consideration for reimbursement of the amount spent by it. If such representation is not filed, petitioner is directed to

make a representation within one week from today and the first respondent shall consider and dispose of the same in accordance with law.

The writ petition is accordingly disposed of. No costs.

19..10..2004

Note:CC by tomorrow

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To

1 The Director (NGO's) , Ministry of Tribal Affairs, Govt. of India,
Sastri Bhavan, New Delhi.
2 The District Collector, Kurnool.
3 The District Tribal Welfare Officer, Kurnool.

4. Two CCs to Government Pleader for Social Welfare, High Court Buildings,

Hyderabad (OUT)

5. Two CD copies